

EXHIBIT 459

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL	:	
PRESCRIPTION	:	MDL No. 2804
OPIATE LITIGATION	:	
	:	Case No.
	:	1:17-MD-2804
THIS DOCUMENT RELATES	:	
TO ALL CASES	:	Hon. Dan A. Polster

- - -

Thursday, January 3, 2019

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW

- - -

Videotaped deposition of JILL A. STRANG, held
at the offices of Cavitch, Familo & Durkin,
1300 East Ninth Street, Cleveland, Ohio, commencing at
8:57 a.m., on the above date, before Carol A. Kirk,
Registered Merit Reporter and Notary Public.

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1 the pick ticket when it was asterisked. I think
 2 that we did a very good job of not letting it
 3 leave the distribution center.
 4 Q. And I'm not disputing whether you
 5 did a good job of catching order errors. What
 6 I'm asking is, do you think DDM did everything
 7 it could have possibly done to identify
 8 suspicious orders that would be indicia that
 9 diversion was taking place within its business?

10 MR. JOHNSON: Objection.

11 A. I think we did everything we could
 12 at the distribution level, yes.

13 Q. Do you think DDM in general did
 14 everything that they could have done to identify
 15 and report suspicious orders?

16 MR. JOHNSON: Objection.

17 A. At the distribution center, yes.
 18 Outside of that, I do not know.

19 Q. And even though you were the
 20 keeper of the suspicious order monitoring
 21 policies and procedures, you don't know whether
 22 more could have been done outside of the narrow
 23 scope of the distribution center?

24 MR. JOHNSON: Objection.

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1 Q. Correct?

2 MR. JOHNSON: Objection.

3 A. Although there was nothing in
 4 writing, I still believe we did everything we
 5 could.

6 Q. Did DDM possess information that
 7 it could have analyzed to help it identify
 8 suspicious orders that it did not use?

9 MR. JOHNSON: Objection.

10 A. I don't know.

11 Q. Okay. Well, you don't know what
 12 information Pete and Jason looked at, right?

13 A. I don't know.

14 Q. Okay. So how can you take a
 15 position on whether DDM did everything it could
 16 have done to identify suspicious orders if you
 17 don't know what information they considered?

18 MR. JOHNSON: Objection.

19 A. Because I don't know what other
 20 information is available to make an educated
 21 judgment on how to move forward with the orders.
 22 We used what we had, and the trust of the
 23 pharmacists doing their professional judgment,
 24 and I know you're not questioning that, but

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1 that's how I -- we've looked at it over this
 2 time.

3 Q. So the crux of the suspicious
 4 order monitoring policy is, "We trust the
 5 pharmacist to make a good judgment"?

6 A. I do.

7 Q. Okay. But that's really -- that's
 8 really what the DDM suspicious order monitoring
 9 policies and procedures rise and fall on, right?

10 MR. JOHNSON: Objection.

11 A. There has to be a level of trust.
 12 There has to be a level of we -- I'm shipping
 13 only to our stores. Once it leaves the
 14 facility, I'm trusting that they are doing their
 15 job to make sure that there is no suspicious
 16 orders, prescriptions, any of the red flags.

17 My job is at the distribution
 18 center, and I've used everything I can, as of
 19 today, to make sure that those orders do not go
 20 out.

21 Q. What orders are you talking about?

22 A. Any order errors.

23 Q. Right. So order errors; but we're
 24 not talking about order errors, we're talking

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1 about suspicious orders, right? And you don't
 2 have the tools to identify a suspicious order,
 3 right?

4 MR. JOHNSON: Objection.

5 Q. I mean, you've already testified
 6 to that. I'm just trying to clarify.

7 MR. JOHNSON: Objection.

8 MR. MULLIGAN: What's the basis of
 9 your objection?

10 MR. JOHNSON: She hasn't testified
 11 to that.

12 MR. MULLIGAN: She has testified
 13 to that.

14 MR. JOHNSON: Well, the transcript
 15 will bear it out.

16 MR. MULLIGAN: Okay.

17 A. I did not consider them -- I
 18 consider them order errors.

19 Q. Okay. You considered anything
 20 that looked abnormal to be an order error,
 21 correct?

22 A. Correct.

23 Q. Okay. You never considered
 24 whether they could be suspicious orders or part